

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

2005 JAN 30 A 10:05 CIVIL ACTION NO. 2005-10530-JLT

MOUNTAIN PEAKS FINANCIAL  
SERVICES, INC.,

Plaintiff,  
Judgment Creditor,

v.

PHILIP B. McADAM,

Defendant,  
Judgment Debtor.

MOUNTAIN PEAKS FINANCIAL SERVICES, INC.'S PROPOSED JUDGMENT

Mountain Peaks Financial Services, Inc. ("Mountain") files the proposed judgment.

Judgment shall enter for the plaintiff, Mountain and against Philip B. McAdam ("McAdam") in the amount of \$435,401.43 as calculated below:

- |    |  |              |
|----|--|--------------|
| 1. | State Court Judgment (as recited in Execution: an exhibit to the Temporary Restraining Order filed on March 18, 2005)  | \$261,219.56 |
| 2. | Interest from February 16, 2001 through February 15, 2005 four years at 12%: (G.L. c. 231, sec. 6C)  | 125,385.38   |
| 3. | Interest from February 16, 2005 through March 18, 2005 (29 days @ \$85.88 @ 12%): (G.L. c. 231, sec. 6C)   | 2,490.53     |
| 4. | Interest from March 19, 2005 through January 30, 2006 (317 days at @ \$ 85.88): <i>Gallagher v. Park West Bank and Trust Co.</i> , 951 Fed. Supp. 10 (D. Mass. 1997) | 27,223.96    |

This proposed order is  
accepted and adopted  
J. Tamm NJ  
2/2/06

5. Attorney's Fees Incurred Concerning The Within  
Action From March 7, 2005 through January 11, 2006: 18,775.00  
(Exclusive of Attorney's Fees Incurred in State  
Court Proceedings in Essex County Superior  
Court and Lawrence, MA District Court):

Costs Concerning The Within Action  
From March 7, 2005 January 11, 2006: 307.00

United States District Court Entry Fee: 250.00  
Hillsborough County, New Hampshire  
Sheriff's Fee: 57.00

Total: \$435,401.43

Mountain Peaks Financial Services, Inc.,  
Plaintiff Judgment Creditor,  
By its attorney,

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Richard W. Gannett, Esquire  
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Dated: January 30, 2006